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| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 09/845,041         |
|   | Filing Date            | 04/27/2001         |
|   | First Named Inventor   | James C. Hillegass |
|   | Art Unit               | 3621               |
|   | Examiner Name          | Daniel L. Greene   |
| Total Number of Pages in This Submission  | Attorney Docket Number | 2158               |

| ENCLOSURES (Check all that apply)  |   |   |
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| <b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>                            |   |   |
| Firm or Individual name  | Beck & Tysver, P.L.L.C.   |   |
| Signature  |   |   |
| Date   | 10/8/04   |   |

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09/845,041

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|              |   |                 |                  |
|--------------|---|-----------------|------------------|
| Applicant:   | James C. Hillegass et. al                                 | Examiner:       | Daniel L. Greene |
| Serial No.:  | 09/845,041  | Group Art Unit: | 3621             |
| Filing Date: | April 27, 2001  | Docket No.:     | 2158             |
| Title        | Licensed digital materials distribution system and method |                 |                  |

Date of Deposit: 10-8-04

I hereby certify that this paper is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Signature: Mary S. KellerPrinted Name: Mary S. Keller

## RESPONSE

Commissioner for Patents  
Alexandria, VA 22313

This is responsive to the outstanding Office Action mailed September 8, 2004.

The Applicant clarifies that, upon entry of the amendment mailed May 19, 2004, the following claims will be pending: 2, 3, 5-12, and 14-23. All of these claims, except claim 15, are discussed in the amendment of May 19.

Claim 15 has been amended by the May 19 amendment and recites a license distribution process by which is provided to the user "a user license containing a user identifier" and "a product license containing the user identifier and a decryption key". Spagna, in contrast, does not describe or suggest a user license distinct from a product license. Spagna incorporates a user name into each Transaction SC during download. The Applicant's recited system, with a "user license" distinct from the "project license" and with the product license including a reference to the "user identifier" affords

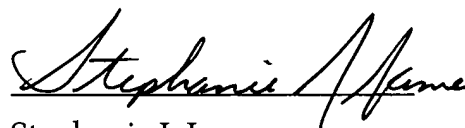
advantages. For example, a user can easily restore all lost licenses, for example due to system failure, through use of the user license.

Respectfully submitted,

J. RIVER, INC.

By its attorneys:

Date: 10/8/04

A handwritten signature in cursive script, appearing to read "Stephanie James", written over a horizontal line.

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